

United States District Court

Western District of Texas

Pecos Division

United States
v.
Thomas Arthur

No. P-19-CR-774-DC

Defendant's Unopposed Motion to Continue Sentencing

To the Hon. Judge Counts:

The Defendant in the above-captioned case, Thomas A. Arthur, under Rule 45(b) of the Federal Rules of Criminal Procedure, respectfully moves the Court for an order continuing the sentencing date in this case. In support, Thomas A. Arthur would show:

I.

This case is presently set for a sentencing hearing on April 27, 2021, at 8:30 a.m. On March 30, 2021, the undersigned counsel spoke with Mr. Austin Berry, counsel for the Government, via electronic mail, and Mr. Berry voiced no objection to continuing the sentencing from its present date.

II.

The reason a continuance is necessary in this matter is that Lane A. Haygood, counsel for Mr. Arthur, is involved in a case out of Concho County, Texas, Cause No. DIS-18-01982, which will be heard at a jury trial beginning on April 22, 2021, which is expected to last through at least April 28, 2021. The nature of this case is a charge of continuous sexual assault of a child.

On April 7, 2021, Mr. Haygood traveled to San Angelo, Texas, for the final pre-trial hearing in Cause No. DIS-18-01982, at which time it was confirmed that the April 22, 2021, date for beginning jury selection would go forward as planned.

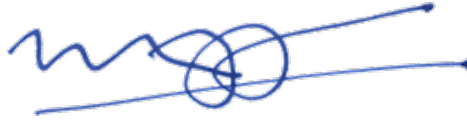
Mr. Haygood's presence at the sentencing hearing will be necessary to advance certain arguments regarding the proper calculation of the sentence and to preserve certain matters for appeal.

This continuance is not sought for purposes of delay but so that justice may be done.

III.

Thomas Alan Arthur prays that this Court enter an order continuance the sentencing hearing to a later date.

Respectfully Submitted,

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Mark Bennett

Attorney in Charge

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CERTIFICATE OF SERVICE

A copy of this document will be delivered to the attorneys for the Government by the efile system when it is filed with this Court.


Mark Bennett